

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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AIRGAS, INC.

Plaintiff,

vs.

CRAVATH, SWAINE & MOORE, LLP

Defendant.

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CIVIL ACTION NO: 10-612 (ECR)

**STIPULATED AMENDED SCHEDULING ORDER**

**AND NOW**, this 18th day of January, 2011, parties, by their respective counsel, hereby stipulate and agree to submit the following pretrial schedule for consideration by the Court:

1. Pretrial Timetable:

- All fact discovery shall be completed by August 30, 2011.
- Protocol for Electronic Discovery: All electronic documents shall be produced as single page tiffs with multi-page OCR text in the same folders as the images. The parties will also produce Concordance Database load files (.dat file and .opt file). With respect to native files, the Nativefile, or Nativelink path, should appear in a field in the .dat file.
- Written Discovery: Plaintiff served requests for production on December 20, 2010. Defendant intends to serve its written responses and objections by January 19, 2011. Defendant presently intends to serve requests for production before January 27, 2011.
- Discovery Disputes: Although no formal discovery response has yet been served by Defendant, Defendant intends to object to certain discovery on the basis of attorney-client privilege and/or attorney work product and other grounds. Defendant will then prepare and supply a privilege log. Following an effort to resolve any disputes through the “meet and confer” process, the parties will engage in motion practice to resolve the matters that remain in

dispute. This process is expected to take several months to be resolved.

- Discovery Master: The parties agree it would be most productive to make a determination about the appointment of a discovery master after seeing the nature of the discovery disputes that arise and remain unresolved.
- Depositions: The parties do not anticipate commencing depositions until receiving the discoverable documents, which (for the reasons set forth above) should be approximately mid-May 2011, after the privilege disputes have been resolved and documents have been exchanged and reviewed. The following is a list of the individuals the parties intend to depose. This list is subject to change and may be revised or supplemented as discovery proceeds:
  - **Airgas:**
    1. Stephanie Binder
    2. Ronald Cami
    3. Stuart Gold
    4. Kris Heinzelman
    5. Joel Herold
    6. Paul Huck
    7. John McGlade
    8. Allen Parker
    9. John Stanley
    10. Clyde Tinnen
    11. James Woolery
    12. Representative from Air Products' financial advisor
  - **Cravath:**
    1. Leslie Graff
    2. Peter McCausland
    3. Joseph Sullivan
    4. Robert Young
- Each party's initial expert reports (if any) are due September 30, 2011.
- Each party's responsive expert reports (if any) are due October 21, 2011.
- Depositions of all experts are to be completed by December 21, 2011.
- Dispositive motions are due January 21, 2012.
- Plaintiff's pre-trial memorandum is due February 20, 2012.
- Defendant's pre-trial memorandum is due March 10, 2012.
- Exchange of exhibits is due March 17, 2012.
- All motions in limine are due March 31, 2012.

- After all dispositive motions have been decided or the time for filing dispositive motions has elapsed, the parties will be given notice of a Final Pre-Trial Conference.
- The case will be placed into the trial pool April 7, 2012, or as soon thereafter as all dispositive motions have been decided.

SO APPROVED:

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EDUARDO C. ROBRENO, J.

Dated: